

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

ALIAS SUMMONS IN A CIVIL CASE

CRESTVIEW CAPITAL MASTER, LLP.

CASE NUMBER: 08 cv 3263

V.

ASSIGNED JUDGE: Kocoras

DUANE MARTIN, an individual, MARC FRY, an individual; JOHN LEVY, an individual, and UNIVERSAL FOOD & BEVERAGE COMPANY, INC., a Nevada Corporation.

DESIGNATED
MAGISTRATE JUDGE: Cole

TO: (Name and address of Defendant)

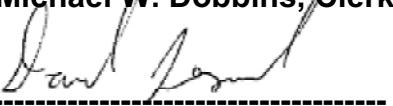
Mark Fry
 249 E. Legacy Dr.
 Tracy, California 95391-1017

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Robert E. Williams
 Touhy, Touhy, Buehler & Williams, LLP
 55 West Wacker Drive, 14th Floor
 Chicago, Illinois 60601

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Michael W. Dobbins, Clerk


 (By) DEPUTY CLERK

July 1, 2008

Date



AO 440 (Rev. 05/00) Summons in a Civil Action

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE
NAME OF SERVER (PRINT)	TITLE

Check one box below to indicate appropriate method of service Served personally upon the defendant. Place where served: __________
_____ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left: _____

 Returned unexecuted: __________
_____ Other (specify): __________
_____**STATEMENT OF SERVICE FEES**

TRAVEL	SERVICES	TOTAL
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____ Date _____ *Signature of Server*

Address of Server

UNITED STATES DISTRICT
COURT FOR THE NORTHERN
DISTRICT OF ILLINOIS

CRESTVIEW CAPITAL
MASTER, LLP

Plaintiff)

-vs-

DUANE MARTIN, an
individual, MARC FRY,
an individual, JOHN
LEVY, an individual and
UNIVERSAL FOOD &
BEVERAGE COMPANY,
INC., a Nevada
Corporation

) 08 cv 3263
RETURN OF PERSONAL SERVICE
) Alias Summons in a Civil Case,
Complaint and Exhibit A

)

Defendant)

BY: -----

Received by 1-800-SERVE-EM on July 7, 2008 at 11:33 AM to be served on
Marc Fry, 249 E. Legacy Drive Tracy, CA 95391.

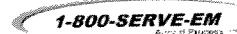
I, Richard Berberian, RCPS Stanislaus County #07-005, who being duly
sworn, depose and say that on July 11, 2008 at 8:25 PM , I:

Individually Served the within named person by delivering a true copy of the
Alias Summons in a Civil Case, Complaint and Exhibit A with the date and
hour endorsed thereon by me, to Marc Fry at 249 E. Legacy Drive Tracy, CA
95391.

I am over the age of 18, have no interest in the above action, and am
authorized to serve process in the county in which the process was served.



Richard Berberian, RCPS Stanislaus
County #07-005
1-800-SERVE-EM
800.737.8336
Job Serial Number: 2008313785
Reference: 08 cv 3263

 1-800-SERVE-EM
An Off-Premises Inc.

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**CRESTVIEW CAPITAL MASTER, LLP,
MIDSUMMER INVESTMENT, LTD.,
KUAI PARTNERS, L.P., on behalf of
Themselves and all others similarly
situated,**

Plaintiffs,

v.

**DUANE MARTIN, an individual; MARC
FRY, an individual; JOHN LEVY, an
individual, and UNIVERSAL FOOD &
BEVERAGE COMPANY, INC., a Nevada
corporation,**

Case No. 08 cv 3263

Judge Kocoras

Magistrate Judge Cole

Defendants.

NOTICE OF FILING

TO: Douglas A. Albritton
Kellye L. Fabian
David L. TerMolen
Matthew J. Kramer
FREEBORN & PETERS, LLP
311 S. Wacker Drive, Suite 3000
Chicago, Illinois 60601

PLEASE TAKE NOTICE that on August 4, 2008, I shall file with the clerk of the U.S. District Court for the Northern District of Illinois at the Dirksen Federal Court Building, 219 South Dearborn Street, Chicago, Illinois and the attached the attached **PROOF OF SERVICE OF SUMMONS (MARC FRY)**, a copy of which is attached hereto and served upon you.

/s/Robert E. Williams
Robert E. Williams
One of the Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I, the undersigned, certify that a copy of the foregoing **PROOF OF SERVICE OF SUMMONS (MARC FRY)** was served on the following individuals, via electronic mail and/or ordinary U.S. mail, postage prepaid, this 4th day of August, 2008.

Douglas A. Albritton
Kellye L. Fabian
David L. TerMolen
Matthew J. Kramer
FREEBORN & PETERS, LLP
311 S. Wacker Drive, Suite 3000
Chicago, Illinois 60601

/s/Robert E. Williams
Robert E. Williams
One of the Attorneys for Plaintiffs

Robert E. Williams
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55 West Wacker Drive, 14th Floor
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(312) 372-2209
(312) 456-3838 facsimile